

16A C.J.S. Constitutional Law § 793

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Constitutional Law

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PART III. Overview of Protected Personal Rights and Freedoms; Police Power

IX. Personal, Civil, and Political Rights and Freedoms

C. Personal Liberty

3. Right to Travel

b. Particular Applications

§ 793. Relating to travel for purposes of obtaining abortion

Topic Summary | References | Correlation Table

West's Key Number Digest

West's Key Number Digest, Constitutional Law  1280 to 1282, 1285 to 1288

The right to travel includes the right to unimpeded interstate travel to obtain an abortion and other medical services.

The right to travel includes the right to unimpeded interstate travel to obtain an abortion and other medical services¹ and has been held to have been violated by the actions of abortion protestors engaging in conspiracy to prevent women from obtaining access to abortion facilities.² Antiabortion protestors' blockading of abortion clinics with the intention of closing them down, forcing women to make several trips or detours to obtain the desired medical services, impermissibly interfered with and impaired the constitutional right of women seeking abortions to travel freely.³ However, an antiabortion demonstration blocking access to an abortion clinic which is a purely intrastate travel restriction does not implicate the right of interstate travel.⁴

Footnotes

1 U.S.—New York State Nat. Organization for Women v. Terry, 886 F.2d 1339, 14 Fed. R. Serv. 3d 922 (2d Cir. 1989).

2 U.S.—New York State Nat. Organization for Women v. Terry, 886 F.2d 1339, 14 Fed. R. Serv. 3d 922 (2d Cir. 1989).

3 U.S.—Roe v. Operation Rescue, 710 F. Supp. 577 (E.D. Pa. 1989), order aff'd, 919 F.2d 857 (3d Cir. 1990).

4 U.S.—Bray v. Alexandria Women's Health Clinic, 506 U.S. 263, 113 S. Ct. 753, 122 L. Ed. 2d 34, 169 A.L.R. Fed. 649 (1993).

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